

COUNCIL
WEDNESDAY 20TH MAY 2009

ETHICS AND STANDARDS COMMITTEE
Annual Report 2008/2009



The new local assessment regime was brought into effect on 8th May 2008 under the provisions of the Local Government and Public Involvement in Health Act 2007, The Standards Board (England) Regulations 2008 and associated advice from the Standards Board for England.

The new locally based standards framework gave Standards Committees responsibility for the initial assessment of all allegations that a Member of their Authority/Parish Council or Town Council may have breached the Code of Conduct.

It also gave them responsibility for any subsequent investigations, decisions and sanctions (except where the cases could not be handled locally because of their seriousness, (e.g. conflicts of interest or other public interest reasons).

At its Annual Meeting on 14th May 2008 the Council agreed that the following sub-committees be set up to determine local complaints:

- Assessment Sub-Committee
- Hearings Sub-Committee
- Review Sub-Committee.

At the date of writing this report the Council has not determined any complaints. The Standards Board has encouraged a culture of encouraging mediation rather than penalties. The Monitoring Officer has therefore been providing a confidential conflict advice service to Members and has been using mediation and guidance to promote the most efficient and effective way of addressing potential complaints.

INDEPENDENT MEMBER SELECTION

Legally it is a requirement that 25% of a Standard Committee's membership be made up of Independent Members.

At the beginning of the municipal year the Ethics and Standards Committee had 3 Independent Members and 2 vacancies.

Unfortunately in July 2008, the Monitoring Officer received a letter of resignation from its Chairman due to medical reasons and the Council was required to recruit 3 further independent Members.

A number of interviews were held during the year and the Council has successfully recruited one additional Independent Member and there is a further recommendation to Council at its Annual Meeting to approve the appointment of another independent member. This leaves just one vacancy for an Independent Member on the Committee.

FEEDBACK FROM INDEPENDENT MEMBERS' FORUM

During the year Members of the Committee have found it useful to receive feedback from the Independent Members' Forum that the Committee's Independent Members attend. It has also proved beneficial for our Independent Members to share experiences with Independent Members from other authorities.

TRAINING

Two bespoke training events were held during the municipal year. The first event was held in June 2008 where all new Members received training on the Code of Conduct.

The second event was held in February 2009 for Parish and Town Councils where training was given on the determination of breaches of the Code of Conduct.

RETURNS TO THE STANDARDS BOARD FOR ENGLAND

Members have received details of the quarterly returns made by the Monitoring Officer which include details of determinations of local breaches of the Code of Conduct.

A new requirement has been introduced in April 2009 for all Standards Committees to submit an Annual Return detailing their activities. The Annual Return will shortly be published on the Council's website and intranet.

MEMBER ACTIVITY REPORTS

In 2006 the Ethics and Standards Committee recommended to Council that all Members produce annually an activity report giving details of their activities as a Councillor. This followed a recommendation from the Independent Remuneration Panel that with the Council implementing the Members Allowances Scheme, there should be more publicity of Members' work in order to increase transparency and accountability.

The Ethics and Standards Committee has considered a selection of these reports and has ensured that Members who had not submitted their reports in time for Annual Council did produce a report for publication on the Council's website. Independent Members have stressed the value of these reports which give members of the public an opportunity to read details of what the local Councillor has participated in and activities undertaken during the municipal year.

FEEDBACK FORMAT FOR MEMBERS ON OUTSIDE BODIES

At its meeting on 27th January 2009 the Ethics and Standards Committee proposed to Council that Members should also be required to submit annual feedback to the Council on their activities as a Council appointed Member of an outside body. Council approved this at its meeting in February 2009.

CONSULTATIONS

The Ethics and Standards Committee respond to consultations which are within their Terms of Reference. This year returns included a consultation from the Department for Communities and Local Government (DCLG) regarding the Code of Recommended Practice on Local Authority publicity.

COMPLAINTS TO THE LOCAL GOVERNMENT OMBUDSMAN

Each year the Standards Committee receives a report which details the substance of complaints to the local Government Ombudsman that have been dealt with by the authority. This gives all members of the Committee an opportunity to review and examine the nature of the complaints.

C S Newlands
Monitoring Officer
May 2009.